

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

VERTEX ENERGY, INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 24-90507 (CML)
)
) (Jointly Administered)
)

NOTICE OF CANCELLATION OF AUCTION

PLEASE TAKE NOTICE that on September 25, 2024, the United States Bankruptcy Court for the Southern District of Texas (the “Bankruptcy Court”) entered the *Order (I) Approving the Bidding Procedures and Auction, (II) Scheduling Bid Deadlines, an Auction, Objection Deadlines, and a Sale Hearing, (III) Approving the Assumption and Assignment Procedures, (IV) Approving the Form and Manner of Notice of a Sale Transaction, the Auction, the Sale Hearings, and Assumption and Assignment Procedures, and (V) Granting Related Relief* [Docket No. 55] (the “Bidding Procedures Order”)² in the chapter 11 cases of the above captioned debtors and debtors-in-possession (collectively, the “Debtors”).

PLEASE TAKE FURTHER NOTICE that the Debtors are soliciting offers for the purchase of all or substantially all of the Debtors’ assets (the “Assets”) consistent with the Bidding Procedures (the “Bidding Procedures”) approved by the Court pursuant to the Bidding Procedures Order.

PLEASE TAKE FURTHER NOTICE that in accordance with paragraph 3 and 33 of the Bidding Procedures Order, the Debtors, after consultation with the Consultation Parties, may modify the Bidding Procedures to accelerate or extend the dates and deadlines set forth in the Bidding Procedures to promote bids.

PLEASE TAKE FURTHER NOTICE that the Debtors, in accordance with the Bidding Procedures, and in consultation with the Consultation Parties, have determined that they have not received more than one Qualified Bid for any particular asset or portion of assets by the Qualified Bid Deadline, and accordingly, hereby cancel the Auction previously scheduled for December 11, 2024, at 9:00 a.m., prevailing Central Time.

¹ A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://www.veritaglobal.net/vertex>. The location of Debtor Vertex Energy, Inc.’s corporate headquarters and the Debtors’ service address in these chapter 11 cases is 1331 Gemini Street Suite 250, Houston, Texas 77058.

² Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Bidding Procedures or the Bidding Procedures Order, as applicable.

PLEASE TAKE FURTHER NOTICE that in accordance with the Bidding Procedures and the Bidding Procedures Order, the Debtors have provided requisite notice of the amended sale schedule to the appropriate notice parties, including the Consultation Parties.

PLEASE TAKE FURTHER NOTICE that copies of the Bidding Procedures and the Bidding Procedures Order, and any related documents are available upon request to Verita Global LLC by calling (877) 709-4747 (domestic, toll free) or +1 (424) 236-7228 (international) or visiting the Debtors' restructuring website at <https://www.veritaglobal.net/vertex>.

Houston, Texas
December 10, 2024

/s/ Jason G. Cohen

BRACEWELL LLP

Jason G. Cohen (TX Bar No. 24050435)
Jonathan L. Lozano (TX Bar No. 24121570)
711 Louisiana Street, Suite 2300
Houston, Texas 77002
Telephone: (713) 223-2300
Facsimile: (800) 404-3970
Email: jason.cohen@bracewell.com
jonathan.lozano@bracewell.com

-and-

Mark E. Dendinger (admitted *pro hac vice*)
31 W. 52nd Street, Suite 1900
New York, NY 10019
Telephone: (212) 508-6100
Facsimile: (800) 404-3970
Email: mark.dendinger@bracewell.com

*Co-Counsel to the Debtors
and Debtors in Possession*

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

Brian Schartz, P.C. (TX Bar No. 24099361)
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
Email: brian.schartz@kirkland.com

-and-

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

John R. Luze (admitted *pro hac vice*)
Rachael M. Bentley (admitted *pro hac vice*)
333 West Wolf Point Plaza
Chicago, Illinois 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: john.luze@kirkland.com
rachael.bentley@kirkland.com

*Co-Counsel to the Debtors
and Debtors in Possession*

Certificate of Service

I certify that on December 10, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ Jason G. Cohen

Jason G. Cohen